

**REMARKS**

The Final Office Action issued by Examiner Dudek and the citation referred to in the Office Action have been carefully considered. Claims 13, 17, 19 and 20 have been amended. Claim 18 has been canceled. Prompt reconsideration, withdrawal of the finality of the office action, and withdrawal of the claim rejections in view of the amendments above are courteously requested in view of the following remarks.

**Finality of the Action is Premature**

As a preliminary matter, it is respectfully submitted that the examiner has prematurely issued a Final Office Action. The examiner withdrew the references cited previously and cited an entirely new reference in rejecting Applicants' claims. Further, there have been NO claim amendments necessitating the application of this new reference. Accordingly, a new grounds for rejection has been asserted that was NOT necessitated by any amendment. Thus, in accordance with MPEP 706.07(a), the finality of this Action is premature and thus should be withdrawn.

**Claim Rejections under 35 USC § 102**

Claims 13, 14, 16 and 18-20 stand finally rejected as anticipated by U.S. Patent No. 6,067,062 to Takasu. The Examiner alleges that Takasu discloses a TFT array layer interposed between the front and rear glass plates and at least one thermal sensor integral to the TFT array layer to provide temperature sensing of the layer of liquid crystals. In support of this position the Examiner cites Figure 28 and the last paragraph of Column 20, which describes Figure 28.

Claim 13 has been amended so as to patentably distinguish over Takasu. Amended claim 13 specifically recites that the thermal sensor is hidden by an EMI shield. This limitation is clearly not disclosed or suggested in Takasu or any of the other previously cited references. Claim 13 and the remaining claims depending therefrom, claims 14, 16, 17 and 19-20 are therefore believed to now patentably distinguish over Takasu.

**Claim Rejections under 35 USC § 103**

Claims 17 and 19 stand rejected as obvious over Takasu. However, Takasu does not disclose or suggest hiding the thermal sensor with an EMI layer nor by a black mask EMI shield layer. Accordingly this rejection of these two claims should now be withdrawn.

**Conclusion**

Claims 13, 14, 16, 17, 19 and 20 are pending in the application. This response is believed to be responsive to all points raised in the Office Action. It is respectfully submitted that all of the Examiner's objections have been successfully traversed and that the application is in order for allowance. Accordingly, reconsideration of the application and allowance thereof is courteously solicited. The finality of the Office Action should also be withdrawn. Should the examiner have any remaining concerns, he is urged to contact the undersigned attorney by telephone at the number below in order to expeditiously resolve such concerns.

The Director is authorized to charge any additional fee(s) or any underpayment of fee(s), or to credit any overpayments to **Deposit Account Number 50-2638**. Please ensure that Attorney Docket Number 73538.020501 is referred to when charging any payments or credits for this case.

Respectfully submitted,



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John R. Wahl  
Reg. No. 33,044

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Customer Number 33717  
GREENBERG TRAURIG, LLP  
2450 Colorado Avenue, Suite 400E  
Santa Monica, CA 90404  
Phone: (310) 586-6541  
Fax: (310) 586-0541  
E-mail: wahlj@gtlaw.com

LA 126675094